



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-303803-19

Strategic Housing Development

Construction of 196 Build to Rent Apartments, underground car park, commercial unit, office, creche, gym including range of communal spaces.

Location

Unit 5A-C Second Avenue,
Cookstown Industrial Estate, Tallaght,
Dublin 24

Planning Authority

South Dublin County Council

Applicant

Pyrmont Property Developments Ltd

Prescribed Bodies

Irish Water

National Transport Authority

Transport Infrastructure Ireland

The Irish Aviation Authority
Department of Defence
Coras Iompair Éireann
Commission for Railway Regulation
South Dublin Childcare Committee

Observer(s) 11 no submissions/observations

Date of Site Inspection 3rd May 2019

Date of Oral Hearing 9th July 2019

Inspector Joanna Kelly

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1.0 Introduction

This is an addendum report and should be read in conjunction with the previous Inspector's report prepared in respect of the proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016 as amended.

Pursuant to Board Direction BD003078-19 an Oral Hearing was held in respect of Aviation. A limited agenda issued to all parties and the main items to be addressed as part of this issue were as follows:

- Encroachment of part of the overall development into the Inner Horizontal Surface applicable to Casement Aerodrome
- Concerns regarding the shielding nature of this component of the development

2.0 Oral Hearing

2.1. Introduction

An Oral Hearing was held in the Office of An Bord Pleanála on 9 July 2019 commencing at 10.00am and finishing at 12.53 approximately. The hearing, in the main, comprised of a joint verbal presentation from the Department of Defence and the Irish Air Corps presented by Lieutenant Robert Keenan and a power point presentation by Mr. Declan O'Dwyer on behalf of the applicant, Pymont Property Developments Ltd. Ms. Hazel Craigie, Senior Planner was present on behalf of South Dublin County Council who responded to various queries throughout the Hearing as they arose. At the request of the Inspector and to ensure access to powerpoint slides presented and referred to during the Hearing by the applicant, their presentation has been uploaded to their external website

www.cookstowncrescentshd.com and is located under 'Planning application documents, Other' and is titled 'Oral Hearing Presentation – 9 July 2019'.

2.2 Submission by Department of Defence and Irish Air Corps

The submission by Lt. Robert Keane was read into the record. I provide a brief synopsis of that submission as follows:

- The Irish Air Corps is the Air component of the defence forces based at Casement Aerodrome - the only military aerodrome located within the State.
- Between the years 2015-2017 the aerodrome handled in excess of 45,000 movements utilising all four runways available to flight crews.
- Safeguarding planning takes the longest possible view and should protect not just current configurations but also configurations that maybe applied in the future. The principle is applied where the Department of Defence safeguards an area of future extension of runway 10 to the end, end lengths of runway 10/ 28 and the protection of runway 04 as an instrument runway.
- The Inner Horizontal Surface is the applicable surface to the application under consideration and is an imaginary flat plane lying 45m above a datum at the applicable aerodrome.
- Its purpose is to protect the ability of aircraft to circle to land or visually manoeuvre to a landing runway having first made an instrument approach to a runway.
- The datum for IHS is chosen by the aerodrome operator and owner.
- ICAO identifies that if there is a significant difference in threshold altitudes then consideration should be given to selection of an appropriate datum.
- The logic is that if there is significant difference, selection of a high datum would be punitive if circling to a lower runway. Likewise, selection of the lowest threshold for the datum will ensure that aircraft carrying out a circling approach have best possible chance to get below cloud in order for the visual manoeuvre to take place.
- Unlike most airports in Ireland, the majority of instrument approach to Casement aerodrome terminate in a circling procedure. This is due to level of international traffic coming out of Dublin airport and adjacent airspace configurations.

- The protection of the IHS is necessary to protect this level of circling. At an airport such as Dublin or any State airport the use of a circling procedure will be an extremely rare event.
- There is a difference of greater than 10m between the threshold altitude of runway 10, the runway to which most instrument approaches occur and the other runway thresholds. This is almost twice the difference that ICAO consider as significant and therefore the datum selected for the IHS is the threshold altitude of runway 10 i.e. 86.6m.
- The selection of this datum has been regarded as valid and appropriate in a number of reviews. (2000 Sir Fedrick Snow and Associate and 2009 Mott McDonald).
- South County Dublin Development Plan suggests runway 22/04 is a non-instrument runway which is incorrect. Runway 22 is in current use as an instrument runway and the Department of Defence will protect it accordingly.
- Rising ground to the south of Casement Aerodrome penetrates the IHS which is why coloured coded maps were produced to allow the County Council identify acceptable settlement development heights in several locations.
- The fact that objects or terrain penetrates the surface does not in itself invalidate that surface which is why ICAO refers to no new objects penetrating surface.
- While there are currently no procedures to permit circling south of runway 28/10 it would be viable for CATA aircraft and helicopters constituting more than 50% of Irish Air Corps fleet to circle to runway 04 and this is a matter under review given increasing use of runway in recent years.
- ICAO allows latitude for additional objects to penetrate the IHS. This flexibility has been formalised between Irish Air Corps and South Dublin County Council in respect of areas of high ground south of Casement Aerodrome.
- Objects which penetrates the IHS affect the circling obstacle clearance altitude for an instrument approach which would affect regulatory operations at an airport. This object in question, if approved would place a permanent

restriction on a circling obstacle clearance altitude available to Irish air corps and state aircraft.

- The obstacle penetrating the IHS is regarded as not being a permanent structure.
- Its replacement will be objected to by the Department of Defence. This is the dominant obstacle for the circling procedure and in its absence a significance benefit would occur to the Irish Corps.
- The concept of shielding of obstacles for the purposes of safeguarding is not clear cut with differing approach by State and Authorities, some not permitting the concept and other applying the concept having difference approaches.

Submission by Declan O'Dwyer on behalf of the Applicant

A copy of the powerpoint slides are enclosed with the file. I, therefore outline a brief summary of main points raised as follows:

- IHS may be a racetrack or circle shape.
- ICAO refer to necessary and desirable practices in respect of critical surfaces and less critical surfaces.
- The critical surfaces are directly above the site but lie well clear of the building i.e. approach and take-off climb surfaces.
- There is a slide indicating extensive penetrations above Casement's Inner Horizontal Surface e.g. 1km of Naas Road is 12m above IHS, Verschoyle's Hill is 204.4m above the IHS
- Mast at Cookstown was more than 3 stories higher than the proposed building. Not entirely sure if this mast has been accounted for by the Air Corps.
- Land at Cookstown rises to within 2.2m of the IHS. At least three lighting poles are above the IHS by 3.5m. The site is within this area.
- A comparative chart of Obstacle Limitation Surfaces is provided.

- A comparison is also made to datum chosen by other airports with Casement as the only one set at the lowest threshold. The location of the datum maybe the calculated midpoint between main runway ends.
- Having regard to the selection of datum and taking account of the elevations of the most frequently used altimeter setting datum points, this would result in an IHS of 142m OD above the height of the proposed building.
- Reference is made to international airports, e.g. Le Bourget the highest runway paving is 67m and the IHS is set at 112m and Charles de Gaulle use the highest threshold of 118m and IHS of 163m.
- Building lies in the area cover for the cross run-way and not the principal runway.
- Principle of Shielding refers to Figure 8.7 from the Mott MacDonald report of 2009.
- The aerial is in place too long to be removed under planning legislation but it can be removed under the Defence Act but compensation becomes an issue.
- Reference are made to advance discussions and it was agreed that the building be reduced by 0.5m in height and that the building would be provided with aviation obstruction lighting at its highest points.
- The project was also discussed with the IAA Aerodrome Safety Regulation Division in July 2018.
- It is stated that the building could be reduced by a further 1.5m but do not consider it necessary.
- The summary slide provides a good overview of the key points made during the presentation.

3.0 Assessment

3.1. Take off and approach surfaces are not affected by the proposal. The key area of concern by the Irish Air Corps is the encroachment of the proposed building into the IHS and that the mast cannot be considered to act as a shield to the proposed

building. The point has been made that Casement Aerodrome has chosen to use the lowest threshold for the IHS and if other datum thresholds, as is provided for in ICAO guidelines, are used the building would not be located in the IHS. I accept this argument however, the fact remains that the operator of Casement aerodrome has chosen to use the lower threshold and this cannot just be disregarded.

3.2 I do, however, consider that there are existing factors that are of particular relevance to this application, which were discussed at the hearing and will deal with each of these in turn. Firstly, it was clarified at the Hearing that there are four runways (two strips) at Casement aerodrome, and due to changes in the magnetic direction they were re-classified in February 2019 hence documentation may refer to these runways interchangeably. To clarify Runway 04/22 was re-classified to 23/05 and Runway 28/10 to 29/11.

3.3 It was indicated by the applicant that no circling occurs south of runway 10/28 and this is demonstrated in a visual aid presented at the hearing. I attach this slide as an Appendix for ease of reference by the Board. The site would appear to lie just inside this no circling sector. A discussion ensued between the applicant and Irish Air Corps as to whether circling occurred south of the runway or south of the access of the runway. The reason for this 'no circling sector' is due to the breach of existing terrain which also includes 1km of the Naas road into this IHS by up to 12m. Verschoyle's Hill lies at 204.4m above the HIS. This location is c. 5km kilometres south of the application site.

3.4 The issue of shielding should also be considered. I refer to the slide provided by the applicant from the 'Mott Mac Donald' report 2009 regarding Casement Aerodrome (attached as an Appendix). Applying the shielding principle as per this slide, I accept the argument made by the applicant that the proposed building would be considered shielded. The Irish Air Corps set out that the obstacle in question, the mast at Cookstown, cannot be considered under the principle of shielding as it is a moveable structure. However, while it is unclear whether this mast has the benefit of planning permission, it was set out at the Hearing, that the mast has been in place for in excess of seven years. While I note that the Irish Air Corps set out that they will object to any future application seeking its retention, the reality is that its removal has not been sought since its erection on aviation safety grounds which is available to the Department of Defence. Therefore, I consider that it is reasonable that the

shielding principle can be applied in this instance. I also note that at the Hearing that the obstacle i.e. telecommunications mast was confirmed as not being marked on any aviation charts. Lt. Keenan confirmed that this mast is not affecting flying operations at the moment and the applicant responded by stating that the building should therefore also not be seen as an obstacle. I refer the Board to the slide which indicates 'Identified Obstacles at Casement (as per the I.A.A's 'Asset' Data). This indicates the presence of existing obstacles further east of the site on approach to the cross-runway. Having regard to all the information provided, I tend to agree that the proposed building would not pose such an obstacle given its location south-east of the mast and that there are other obstacles further east closer to the runway. Lt. Keenan confirmed at the hearing (OH Time 12:24:30) that if the building existed that there were no long term concerns as to the existence of the building, concerns relate to its construction only. There was discussion at the hearing about encroachment of a crane into the HIS. However, I do not consider that the use of tower cranes is necessarily an issue as there is a requirement to notify the IAA regarding construction of buildings. The use of cranes will be temporary and there is also no encroachment into the take-off or approach to the runways in question.

3.5 In conclusion, aviation safety is of paramount importance. The purpose of the hearing was to gather further information regarding the extent of penetration to the HIS and the implications of this and also to clarify why the Irish Air Corps did not consider the building as shielded. I have considered all of the submissions on file, submissions made at the Hearing and consider that on balance the proposed development would be acceptable from an aviation perspective given the presence of a 'no-circling' sector currently in operation and where the development site is just on the periphery of this; the presence of other obstacles closer to the runway and also having regard to the presence of the obstacle at Cookstown which is in existence for in excess of 7 years and can reasonably be considered as a permanent structure and that the Department of Defence has not sought its removal.

3.6 The Board should note that the applicant set out at the hearing that they were prepared to reduce the overall height of the Block B by 1.5m so as to mitigate concerns of the Irish Air Corps who stated that they were not in a position to consider this at the hearing. It was also stated that the applicant sought a meeting to address what would be acceptable to the Irish Air Corps but this did not occur.

3.7 I consider that the reduction in height as proposed would help mitigate concerns raised. However, having regard to the overall height of the blocks proposed at the location of a Luas stop, the height of the existing mast which I consider to act as a shielding object, and the current 'no-flying sector' in operation, that the reduction in this instance is not necessary.

4.0 Recommendation

I recommend a **grant** of permission subject to conditions set out hereunder.

5.0 Reasons and Considerations

5.1. Having regard to the:

- a) the policies and objectives in the South Dublin Development Plan 2016-2022;
- b) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- c) the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- d) the Sustainable Urban Housing: Design Standards for New Apartments, issued by the Department of the Environment, Community and Local Government in March 2018;
- e) the Urban Development and Buildings Heights, Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018;
- f) nature, scale and design of the proposed development;
- g) the availability in the area of a wide range of social, community and transport infrastructure in particular the proximity of the Luas Stop to the site;
- h) the pattern of existing and permitted development in the area;

i) submissions and observations received including the submissions made at the Oral Hearing 9 July 2019 and

j) the Inspector's report,

it is considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design and would be acceptable in terms of vehicular, pedestrian and aviation traffic. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

6.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

In default of agreement, the matter(s) in dispute shall be referred to An Board Pleanála for determination.

Reason: In the interest of clarity.

2. The development hereby permitted shall be for build to rent units which shall operate in accordance with the definition of Build-to-Rent developments as set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (March 2018) and be used for long term rentals only. No portion of this development shall be used for short term lettings.

Reason: In the interest of the proper planning and sustainable development of the area.

3. Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with the Planning Authority:
 - (a) Omission of the windows (serving living rooms) on the north-west elevation of Block C (immediately adjacent the stair core of Block B)
 - (b) Details of the solar panels to be erected which shall also be forwarded to the Irish Air Corps and Irish Aviation Authority for agreement.
 - (c) Details of landscaping, play equipment and play opportunities for children within the development site which shall be provided prior to first occupation of any residential unit.

Reason: In the interest of residential amenity of future occupants

4. Details and samples of the materials, colours and textures of all the external finishes to the proposed development including pavement finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

5. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

6. Prior to commencement of development, the developer shall

- (a) Notify the Irish Aviation Authority – Safety Regulation Division 30 days in advance of erection of tower or mobile crane. All cranes used during construction shall be fitted with aviation warning lights. The lighting scheme shall be agreed with the Authority prior to installation.
- (b) Engage directly with the operator of Casement aerodrome to determine if obstacle lighting is required for the permanent structure and agree the exact requirements regarding any such lighting. The lighting shall be provided on the structure as required by the operator of the Casement Aerodrome.

Reason: In the interests of aviation and public safety

7 The Developer shall comply with the following:

- (a) The development shall comply with the Transport Infrastructure Ireland's 'Code of Engineering Practice for works on, near, or adjacent the Luas light rail system.
- (b) Luas tracks must be kept free of dirt or debris from the construction site at all times.
- (c) The developer shall apply for a works permit from the Luas Operator by virtue of the Light Railway (Regulations of Works (By-Laws 2004 (S.I. No. 101 of 2004) which regulates works occurring close to the Luas Infrastructure in accordance with Transport Infrastructure Ireland's 'Code of Engineering Practice for works on, near, or adjacent the Luas Light Rail System'. The following information shall be submitted for the written agreement of the Planning Authority with written approval by Transport Infrastructure Ireland
 - (I) Plans and details depicting OCS pole protection and safety distances;
 - (II) A demolition and construction method statement which shall resolve all Luas interface issues and shall (i) identify all Luas interface issues (ii) contain a risk assessment for

works associated with the interfaces and (iii) provide mitigation measures for unacceptably high risks.

(III) A vibration and settlement monitoring regime for Luas track infrastructure shall be submitted for the written approval of the planning authority and Transport Infrastructure Ireland. This monitoring regime shall be undertaken strictly in accordance with Transport Infrastructure Ireland's 'Code of Engineering Practice for works on, near, or adjacent the Luas Light Rail System' and shall contain inter alia the proposed regime operation and mitigation responses. The monitoring regime is required to ensure the track rail alignment remains within tolerance and shall be wholly carried out at the developer's expense.

(d) The Developer shall be required to retain or replant trees in accordance with the existing light rail landscape scheme. Prior to commencement of development, revised plans to complement and reinforce the public realm works including hard and soft landscaping shall be submitted for the written agreement of the planning authority and written approval of Transport Infrastructure Ireland.

Reason: To protect existing public transport infrastructure in the area

8 Proposals for a development name, and for residential unit /commercial unit identification and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed name shall be based on local historical or topographical features, or other alternative acceptable to the Planning Authority, and shall be in both Irish and English. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

- 9 All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

- 10 (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-
- (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
 - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Reason: To protect the residential amenities of property in the vicinity of the site.

- 11 Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

12. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority and Transport Infrastructure Ireland prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

14. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

15. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

16. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise

management measures and off-site disposal of construction/demolition waste. The plan shall also identify measures to protect operational Luas infrastructure.

Reason: In the interests of public safety and residential amenity.

17. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of public safety and residential amenity.

18. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

- 19 A minimum of 10% of car parking spaces to be provided within the development shall make provision for the charging of electric vehicles and all car parking spaces shall be ducted for the charging of electric vehicles.

Reason: To promote the use of sustainable transport.

20. Prior to commencement of development on site, the developer shall submit, for the written agreement of the Planning Authority, details of the Management Company, established to manage the operation of the

development together with a detailed and comprehensive Build-to-rent Management Plan which demonstrates clearly how the proposed Build-to-rent scheme will operate.

Reason: In the interests of orderly development and the proper planning and sustainable development of the area.

- 21 Prior to the commencement of development, the owner shall submit, for the written consent of the Planning Authority, details of a proposed covenant or legal agreement which confirms that the development hereby permitted shall remain owned and operated by an institutional entity for a minimum period of not less than 15 years and where no individual residential units shall be sold separately for that period.

Reason: In the interests of proper planning and sustainable development of the area.

- 22 Prior to expiration of the 15-year period referred to in the covenant, the owner shall submit for the written agreement of the planning authority, ownership details and management structures proposed for the continued operation of the entire development as a Build-to-Rent scheme. Any proposed amendment or deviation from the Build-to-Rent model as authorised in this permission shall be subject to a separate planning application.

Reason: In the interests of orderly development and clarity.

- 23 Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any

other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area

- 24 The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

- 25 Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority

and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge

Joanna Kelly

Senior Planning Inspector

17th July 2019